



#3/Election
Shaul
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

Alex HORNG *et al.*

Serial Number: 09/879,976

Filed: June 14, 2001

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Group Art Unit: 2834

Examiner: D. Le

For: Direct Current Brushless Type Vibration Motor

RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner For Patents
Washington, D.C. 20231

Sir:

This paper is in response to the Official Action dated May 29, 2002.

Applicant elects Invention I, claims 1-5, for further prosecution on the merits at this time.

The election is **without traverse**.

Nevertheless, Applicant respectfully notes that Inventions I and II are technically separate "species" rather than "sub-combinations useable together." The respective "species" differ in the location of the shaft pivot holes. All three disclosed embodiments (Figs. 1-3, Fig. 4, and Fig. 5) share the principle of a shaft with an integral permanent magnet and an eccentric member. In fact, the bearing is not even recited in independent claim 6, despite the Examiner's characterization of this claim as being directed to a "bearing feature."

Since the search will involve looking for a shaft with an integral eccentric and permanent magnet, and therefore should logically include subclasses 89 and 90 (the principle of an integral eccentric should not depend on the location of the pivot holes in either the bearing or the housing),

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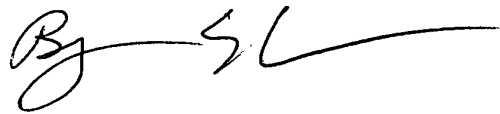
Serial Number **09/879,976**

the Examiner may wish to consider examining all of the claims together even though a "species" restriction might be proper in this situation.

Having thus complied with the restriction requirement made in the Official Action, early and favorable action on the merits is requested.

Respectfully submitted,

BACON & THOMAS, PLLC

A handwritten signature in black ink, appearing to read 'Bj SL', with a long horizontal stroke extending to the right.

By: BENJAMIN E. URCIA
Registration No. 33,805

Date: June 25, 2002

BACON & THOMAS, PLLC
625 Slaters Lane, 4th Floor
Alexandria, Virginia 22314

Telephone: (703) 683-0500

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